

REMARKS

This amendment responds to the Office Action mailed September 23, 2004. Claims 1-17 remain pending in the application. Claims 13-16 were objected to and were withdrawn from consideration. Claims 1-12 and 17 were rejected over U.S. Patent No. 6,457,846 to Cook et al. Claims 8 and 17 have been amended herein. Applicants submit that the pending claims are now in complete condition for allowance and respectfully request reconsideration in view of the following remarks.

Objections to the Claims

Claims 13-16 were objected to as being a duplication of claims 9-12, and were therefore withdrawn from further consideration. Applicants respectfully traverse this objection and assert that claims 13-16 are not, in fact, duplicative of claims 9-12. The preambles of independent claims 9 and 13 have been amended to better clarify the distinction between these claims. Specifically, claims 9-12 are directed to a method for converting a lamp assembly from a focused pattern to a flood pattern of radiation emission, including "reflecting the first amount of radiation off the reflective bodies and toward the curing area in the focused pattern" and "reflecting the second amount of radiation off the reflective bodies and toward the curing area in the flood pattern" (emphasis added). Claims 13-16 are directed to essentially the opposite process of converting a lamp assembly from a flood pattern of radiation emission to a focused pattern. In this regard, claims 13-16 include "reflecting the first amount of radiation off the reflective bodies and toward the curing area in the flood pattern" and "reflecting the second amount of radiation off the reflective bodies and toward the curing area in the

focused pattern" (emphasis added). Accordingly, claims 9-12 and 13-16 are literally setting forth different methods and this objection should therefore be withdrawn.

Moreover, Applicants assert that claims 13-16 are in condition for allowance because the references of record do not teach or suggest the methods recited therein. Specifically, none of the references teaches or suggests a lamp assembly having first and second stop members or "moving the first and second stop members out of the paths of movement" of the reflective bodies, as recited in claims 13-16. For at least these reasons, Applicants respectively request that the objections to claims 13-16 be withdrawn and that these claim be allowed.

Claims Rejected under 35 U.S.C. §102

Claim 17 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,457,846 to Cook et al. Claim 17 is directed to a method of converting a lamp assembly between a focused pattern of radiation emission and a flood pattern of radiation emission, and has been amended herein to recite moving the reflective bodies to "a focus position of the reflective bodies at a first spaced apart width" and to "a flood position of the reflective bodies at a second spaced apart width smaller than the first spaced apart width." This aspect of the invention provides a more compact design to the lamp assembly.

Applicants submit that this amendment overcomes the rejection over Cook et al. because Cook et al. does not teach a focus position of a lamp wherein the reflective bodies of the lamp are spaced farther apart than in a flood position. In this regard, Applicants note that the lamp assembly of Cook et al. does not have reflective

bodies arranged in an elliptical configuration to facilitate focusing radiation, as set forth in the present application. (See, e.g. Cook et al. at col. 3, lines 48-55; col. 5, lines 58-63.) Rather, the lamp assembly of Cook et al. has reflective elements with generally rectangular cross-sectional configurations arranged to reflect as much radiation from the lamp as possible. Without an elliptical or parabolic reflector arrangement, the device of Cook et al. is not capable of functioning in a focused condition.

Moreover, neither the wide nor the narrow arrangement of side elements 6 disclosed in Cook et al. depict a focused condition. Rather, both of these arrangements (see Cook et al. at FIGS. 3A-3C) depict flood conditions of operation, as evidenced by the scattered paths of radiation that are reflected from within the lamp assembly.

Applicants further assert that none of the references of record teach or suggest modifying the apparatus of Cook et al. to achieve the claimed method. For at least these reasons, Applicants respectfully request that the rejection of claim 17 be withdrawn.

Claims Rejected under 35 U.S.C. §103

Claims 1-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cook et al. Claims 1, 8 and 9 are the only Independent claims of this rejected group. Claim 1 is directed to a lamp assembly including "first and second movable reflective bodies" and "first and second movable stop members positioned to respectively engage the first and second reflective bodies during movement thereof." Claim 9 is directed to an analogous method of converting a lamp assembly from a

focused pattern of radiation emission to a flood pattern of radiation emission using stop members as set forth in the recited method steps.

The Examiner admits that Cook et al. fails to teach or suggest first and second movable stop members positioned to respectively engage first and second reflective bodies. The Examiner alleges, however, that it would have been obvious for one of ordinary skill in the art to have modified Cook et al. to include such stop members "since Cook teaches a shuttering system movable to selectively enable radiation from said radiation source to be emitted through said emission opening selectively either in a focused pattern or a flood pattern." (See Office Action at page 5.)

Applicants respectfully traverse the rejections of independent claims 1 and 9 over Cook et al. because Cook et al. does not teach or suggest each and every element recited in these claims, and because the Examiner has failed to establish a *prima facie* case of obviousness. Specifically, the Examiner alleges that it would have been obvious to modify Cook et al. to include movable first and second stop members simply because the device of Cook et al. is adjustable between focused and flood patterns. As noted above with respect to claim 17, however, Cook et al. does not teach or suggest operation of a lamp assembly in a focused condition. Moreover, the Examiner has not cited any reference that teaches or suggests modifying the apparatus of Cook et al. to include stop members.

The mere fact that the device of Cook et al. is movable to different positions is not a sufficient basis for an obviousness rejection. To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in

the art, and the prior art reference must teach or suggest all the claim limitations.

MPEP §2142; In re Vaeck, 20 USPQ.2d 1438 (Fed. Cir. 1991). Moreover, the teaching or suggestion to make the modification must be found in the prior art, and not based on Applicants' disclosure. Id. The mere fact that the references can be modified as suggested by the Examiner does not render the modification obvious unless the prior art also suggests the desirability of the modification. MPEP §2143.01; In re Mills, 16 USPQ.2d 1430 (Fed. Cir. 1990).

Because the Examiner has failed to present a *prima facie* case of obviousness with respect to claims 1 and 9, Applicants respectfully request that the rejections of these claims be withdrawn.

Claims 2-7 depend from independent claim 1, and claims 10-12 depend from independent claim 9. Accordingly, claims 2-7 and 10-12 are in condition for allowance for at least the reasons stated above for claims 1 and 9 and Applicants respectfully request that the rejections of claim 2-7 and 10-12 be withdrawn.

Claim 8 is also directed to a lamp assembly, and has been amended herein to recite:

an actuating system coupled to said first and second reflective bodies and configured to effect movement thereof between at least first and second positions, said first position placing said first and second reflective bodies at a first spaced apart width and causing radiation from said radiation source to be emitted through said emission opening in a focused pattern and said second position placing said first and second reflective bodies at a second spaced apart width and causing radiation from said radiation source to be emitted through said emission opening in a flood pattern,

wherein said first spaced apart width is greater than said second spaced apart width(emphasis added).

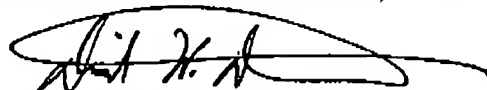
Claim 8 therefore corresponds to method claim 17 by reciting that the reflective bodies are moved to a greater spaced apart width when reflecting radiation in a focused pattern than when reflecting radiation in a flood pattern. For this reason, and the other reasons discussed above with regard to claim 17, the Cook et al. patent fails as a reference under 35 U.S.C. §103(a) and the rejection of claim 8 should be withdrawn.

This application is now believed to be in complete condition for allowance and Applicants respectfully request notice to this effect. If there is any issue remaining that may be resolved by telephone, the Examiner is invited to contact Applicant's undersigned counsel to expedite the issuance of this application.

Applicants are of the opinion that no additional fee is due as a result of this amendment. If any charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



David W. Dorton
Reg. No. 51,625

2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
(513) 241-2324